

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DANIEL J. FOSTER,

Plaintiff,

v.

Civil Action No.: 1:08-cv-00532-RJA

NCO FINANCIAL SYSTEMS, INC.,

Defendant.

STIPULATION OF DISCONTINUANCE

IT HEREBY IS STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, the above entitles action be, and the same hereby is discontinued with prejudice with each side to bear its own costs and attorney's fee.

Dated: May 5, 2009

Dated: May 5, 2009

/s Kenneth R. Hiller

Kenneth R. Hiller, Esq
Law Offices of Kenneth Hiller
Attorneys for Plaintiff
6000 North Bailey Avenue, Suite 1A
Amherst, NY 14226
(716) 564-3288

/s Michael Del Valle

Michael Del Valle, Esq.
Sessions, Fishman, Nathan & Israel
of New York, LLC
Attorneys for Defendant
130 John Muir Drive, Suite 106
Amherst, NY 14228
(716) 625-7492